

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

April 12, 1956
10:00 A.M.

Council Chamber, City Hall

The meeting was called to order with Mayor Miller presiding.

Roll call:

Present: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Absent? None

Present also: W. T. Williams, Jr., City Manager; Doren R. Eskew, City Attorney; Reuben Rountree, Jr., Director of Public Works.

Invocation was delivered by REV. E. P. FRANK, University Lutheran Church, 100 East 26th Street.

Councilman White moved that the Minutes of April 5, 1956 and the Minutes of the Special Meeting of April 4, 1956 be approved. The motion, seconded by Councilman Pearson, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

MR. A. K. ROSS represented a group of blind persons from San Antonio, Texas, who had been contacted by the Police Department and stopped from making sales of various articles until they had a Solicitation permit. The group stated they were not soliciting, but were selling outright. There was a question of whether or not they were soliciting, and whether or not the sign on their car would lead people to believe they were solicitons. There had been complaints received about the methods the group was using in their selling. After much discussion and conferences with the group, Councilman Long moved that they be let to continue to operate and that they make out their application and go before the Solicitation Board next Monday (April 16). The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

MR. SOUTHERLAND, MR. GREEVEN, and MR. JESSEN appeared before the Council regarding setting a date to receive bids for the construction of the Auditorium. Councilman White moved that the plans be issued to the contractors and that bids be called for on June 5, 1956, at 2:00 P.M. in the Council Room; and as soon as possible after the bids are received, that the Architects make their recommendation. The motion, seconded by Councilman Pearson, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

MAYOR MILLER asked that the Council study between now and next week to see when it wanted to offer the bonds.

MR. NICK HORNSBY, representing a group of people in the area bounded on the north by Morgan Lane; on the east by Bannister Lane; on the south by Fort View Road; and on the west by Clawson Road, requested sewers in this area. The Water Superintendent believed this group ~~could be served when they put~~ up their tap fees, and the City could make connections on a 100' basis. MR. HORNSBY believed he could work the problem out with Mr. Davis, the Water Superintendent. Mr. Hornsby inquired about the fire hydrants. Mr. Davis stated the new pump station under construction would correct the pressure and that situation would be relieved. The City Manager stated that work in the area under the bond issue was already underway for this year.

The Council asked that a study be made on permitting plumbers to make taps on to the System. It was explained to one in the audience that the standard fee was \$25.00, plus paving cuts. The Council discussed getting both water and sewer connections made at the same time, to prevent cutting the pavement twice. In connection with the fee for taps, the City Manager stated a study was under way to increase this fee.

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the City of Austin desires to widen 41st Street from its intersection with Red River Street to a point some 1437.37 feet East of said intersection; and,

WHEREAS, the City of Austin is the owner of the hereinafter described property, which is needed for a portion of said 41st Street; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the hereinafter described property be and the same is hereby dedicated for public use, subject to the reservations hereinafter stated, for street purposes, to wit:

1.034 acres of land, same being out of and a part of that certain portion of Outlot 19, Division "C" of the Government Outlots adjoining the Original City of Austin, Travis County, Texas, according to a map or plat of the said Outlots on file in the General Land Office of the State of Texas, which certain portion of Outlot 19, together with other property, was conveyed to the City of Austin by Warranty Deed dated December 30, 1946, of record in Volume 827 at page 324 of the Deed Records of Travis County, Texas and described as 2nd Tract in said deed said 1.034 acres of land being more particularly described by metes and bounds as follows:

BEGINNING at a steel pin set on the East line of Red River Street, same being the West line of the said 2nd Tract as described in the aforementioned deed of record in Volume 827 at page 324 of the Deed Records of Travis County, Texas, and from which point of the BEGINNING the Northwest corner of the said 2nd Tract bears North 23° 18' East 1007.86 feet, and also from which point of BEGINNING a concrete monument set at the point of intersection of the present centerline of East 41st Street with the monumented line of Red River Street as established by the Department of Public Works of the City of Austin bears South 23° 18' West 7.72 feet, North 60° 07' West 20.56 feet and South 29° 53' West 45.00 feet;

THENCE, with the proposed North line of East 41st Street South 52° 43' East 59.38 feet to an iron pipe;

THENCE, South 60° 07' East 1437.37 feet to an iron pin at the Northeast corner of the herein described tract of land, same being the point of intersection between the proposed North line of East 41st Street and the West Right of Way line of the Interregional Highway;

THENCE, with the East line of the herein described tract of land and the West right of way line of the Interregional Highway South 29° 19' West 30.00 feet to the Southeast corner of this tract same being on the present North line of East 41st Street;

THENCE, with the present North line of East 41st Street, North 60° 07' West 1492.91 feet to a point on the East line of Red River Street;

THENCE, with the East line of Red River Street and the West line of the said 2nd Tract North 23° 18' East 37.92 feet to the point of BEGINNING.

In the event said land is not used for street purposes full and unencumbered title shall become and be vested in the City of Austin.

The motion, seconded by Councilman Palmer, carried by the following vote:
Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

Mayor Miller introduced the following ordinance:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE PASSED
BY THE CITY COUNCIL OF THE CITY OF AUSTIN, TEXAS,
JULY 17, 1941, AND RECORDED IN ORDINANCE BOOK "L",

PAGES 152-174, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, WHICH ORDINANCE WAS AMENDATORY OF THAT CERTAIN ORDINANCE ESTABLISHING ZONING REGULATIONS AND DISTRICTS IN ACCORDANCE WITH A COMPREHENSIVE PLAN PASSED BY THE CITY COUNCIL, APRIL 23, 1931, AND RECORDED IN BOOK "I", PAGES 301-318, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, THE AMENDATORY ORDINANCE HEREBY CHANGING THE USE DESIGNATION FROM "A" RESIDENCE DISTRICT TO "LR" LOCAL RETAIL DISTRICT ON LOTS 1 THROUGH 6, BLOCK 3, AUSTIN HEIGHTS ADDITION, LOCALLY KNOWN AS 2208-14 ALEXANDER AVENUE; 2801-25 MANOR ROAD; AND 2209-15 CURTIS AVENUE, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; ORDERING A CHANGE IN THE USE MAPS SO AS TO RECORD THE CHANGE HEREBY ORDERED; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

The ordinance was read the first time and Councilman White moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Pearson, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

The ordinance was read the second time and Councilman White moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Pearson, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

The ordinance was read the third time and Councilman White moved that the ordinance be finally passed. The motion, seconded by Councilman Pearson, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor Miller introduced the following ordinance:

AN ORDINANCE APPROVING AND ADOPTING THE WRITTEN STATEMENT AND REPORT OF THE DIRECTOR OF PUBLIC WORKS, SHOWING THE ESTIMATES OF THE TOTAL COSTS OF ALL THE IMPROVEMENTS, THE ESTIMATES OF THE COSTS PER FRONT FOOT PROPOSED TO BE ASSESSED AGAINST THE ABUTTING PROPERTY, AND THE REAL AND TRUE OWNERS THEREOF, AND THE ESTIMATES OF VARIOUS OTHER COSTS FOR THE IMPROVING OF PORTIONS OF SUNDRY STREETS IN THE CITY OF AUSTIN, TEXAS, WITHIN THE LIMITS HEREINBELOW DESCRIBED, AND OF OTHER MATTERS RELATING THERETO; DETERMINING AND FIXING THE PORTION OF SAID COSTS AND THE RATE THEREOF PROPOSED TO BE ASSESSED AGAINST AND PAID BY THE ABUTTING PROPERTY,

AND THE REAL AND TRUE OWNERS THEREOF; DETERMINING THE NECESSITY OF LEVYING AN ASSESSMENT AGAINST SAID ABUTTING PROPERTY, AND THE REAL AND TRUE OWNERS THEREOF FOR THE PORTION OF SAID COSTS APPORTIONED TO THEM; ORDERING AND SETTING A HEARING AT 10:30 O'CLOCK A.M. ON THE 26TH DAY OF APRIL, 1956, IN THE COUNCIL CHAMBER OF THE CITY HALL OF AUSTIN, TEXAS, AS THE TIME AND PLACE FOR THE HEARING OF THE REAL AND TRUE OWNERS OF SAID ABUTTING PROPERTY AND ALL OTHERS INTERESTED IN SAID ABUTTING PROPERTY OR IN ANY OF THE PROCEEDINGS AND CONTRACT CONCERNING SAID ASSESSMENTS, PROCEEDINGS AND IMPROVEMENTS; DIRECTING THE CITY MANAGER OF THE CITY OF AUSTIN, TEXAS, TO GIVE NOTICE OF SAID HEARING AS REQUIRED BY THE LAWS OF THE STATE OF TEXAS AND THE CHARTER OF THE CITY OF AUSTIN; DECLARING AND PROVIDING THAT THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY UPON ITS PASSAGE.

The ordinance was read the first time and Councilman White moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Pearson, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

The ordinance was read the second time and Councilman White moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Pearson, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

The ordinance was read the third time and Councilman White moved that the ordinance be finally passed. The motion, seconded by Councilman Pearson, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

The Mayor announced that the ordinance had been finally passed.

Councilman Long moved that a permanent Youth Development Committee be set up, and that they appoint them in the near future. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

Councilman Pearson was excused from the Council meeting.

The Council postponed action on the contract for lease of a portion of the Airport to the Civil Air Patrol until the following week.

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the cost of materials and labor necessary to equip and maintain the recreational facilities of the City of Austin has increased; and,

WHEREAS, the City Council is desirous of increasing the public use and enjoyment of these facilities by maintaining and equipping the same at the highest possible level;

NOW THEREFORE, in order to compensate for such rising costs and make it possible to continue to maintain said facilities at a high level;

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the following schedule of rates and charges be, and the same are hereby placed in effect.

GOLF

	Municipal Golf Course	Hancock
Green Fees:		
18 Holes	\$1.00	\$1.00
9 Holes	.60	.60
		(Two rounds for \$1.00)
		Secondary School students \$.25
Membership fees:		
Annual	\$50.00	\$50.00
1st 6 months	30.00	30.00
2nd 6 months	20.00	20.00
University of Texas		
Students, per semester	15.00	
Per year, counting summer school		
Locker fees	\$ 6.00	6.00
per year		

Caswell Tennis Center

Memberships:	
Senior - Annual	\$30.00
- 6 months	20.00
U.T. Students	
- 9 months	25.00
- 3 months	15.00
Junior - Annual	10.00
- Summer	5.00
Court fees for non-members	.50 per hour

Austin Athletic Club and Hancock Recreation Center

Membership per year \$2.00 which would include one activity, and 50¢ per year for each additional activity.

Service Fees	Locker per year	\$1.00
	Badminton per hour	.15

Building rental charges were set by the Council as follows:

BARTON CLUB HUT

Private Party	1:00 P.M. to 5:00 P.M.	\$6.00
	7:00 P.M. to 12:00 P.M.	7.00
	12:00 P.M. to 1:00 A.M.	2.00

ZILKER CLUB HOUSE

Private Party	1:00 P.M. to 5:00 P.M.	10.00
	7:00 P.M. to 12:00 P.M.	10.00
	12:00 P.M. to 1:00 A.M.	2.00

RATES FOR PRIVATE PARTIESMunicipal Golf Clubhouse

Adults	7:00 P.M. to 12:00 P.M.	\$25.00
Children	7:00 P.M. to 12:00 P.M.	15.00
(No special rates for church or civic groups)		
1:00 A.M. Special	12:00 P.M. to 1:00 A.M.	\$ 2.00 extra

Hancock Recreation Center

Adults	7:00 P.M. to 1:00 A.M.	\$50.00
Children	7:00 P.M. to 12:00 P.M.	25.00

Austin Athletic Club

Adults	7:00 P.M. to 12:00 P.M.	\$25.00
Children	7:00 P.M. to 12:00 P.M.	15.00
Lobby (not over 40 persons)		(Music 4.00 extra)

Pan American Center

Adults & Teenage		
Social Room	7:00 P.M. to 1:00 A.M.	\$ 5.00
Terrace	7:00 P.M. to 12:00 P.M.	10.00
Kitchen		2.00

Zaragosa Park

Service Charge	\$10.00
Patriotic Celebrations	0
Clubs special dances	10.00

Athletic Fields

Downs Field		
Night		\$25.00
Day		10.00
Butler Park		
Night		\$25.00
Day		10.00
Zaragosa Park		
Sunday Afternoon		\$10.00

House Park	
Night	\$25.00
Day	10.00

RENTAL SCHEDULE FOR CITY COLISEUM

COMMERCIAL ENTERTAINMENT - Wrestling, boxing, basketball, stage shows, concerts, circus, dances - with name bands and admission, ice skating, public lectures - admission charged.
(Deemed Commercial when performers or promoters receive pay.)

\$150.00	First Day
135.00	Second Day
130.00	Third Day
125.00	Fourth Day
120.00	Fifth Day
115.00	Sixth Day
110.00	Seventh Day

For two performances an additional \$25.00 per day.

For weekly sustained programs of the same type, the rental will be \$110.00 per day.

COMMERCIAL ENTERTAINMENT - Boxing, amateur shows, stage shows, etc. (Non-commercial - when no individuals are profiting)
\$100.00 Per Day

COMMERCIAL EXHIBITS - Automobile shows, home and trade shows, stock shows, Food shows, etc. (Deemed Commercial when exhibitors are receiving financial gain either by advertisement or sale of merchandise.)

\$150.00	First Day
135.00 (per day)	Second and Third Days
120.00 (per day)	Fourth and Fifth Days
105.00 (per day)	Sixth and Each Succeeding Day

NON-COMMERCIAL EXHIBITS - Animal shows, flower shows, arts and crafts exhibits, etc. (Deemed Non-commercial when there are no commercial exhibitors)
\$100.00 Per Day

ORGANIZATION ACTIVITIES - Dances, parties, socials, barbecues, and banquets, church bazarrs, club carnivals, etc.
\$ 75.00 Per Day

ORGANIZATION ACTIVITIES - Church meetings, civic meetings, political meeting, conventions, etc.
\$ 50.00 Per Day

TEEN-AGE AND YOUTH ACTIVITIES - Dances
\$ 25.00 Per Day

For use of the building to prepare for a show \$50.00 per day

For use of the rear end of the building (only) \$50.00 per day plus clean-up charges.

The motion, seconded by Councilman Palmer, carried by the following vote:
Ayes: Councilmen Long, Palmer, White, Mayor Miller
Noes: None
Absent: Councilman Pearson

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the cost of materials and labor necessary to equip and maintain the recreational facilities of the City of Austin has increased; and,

WHEREAS, the City Council is desirpus of increasing the public use and enjoyment of these facilities by maintaining and equipping the same at the highest possible level;

NOW THEREFORE, in order to compensate for such rising costs and make it possible to continue to maintain said facilities at a high level;

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the following schedule of rates and charges be, and the same are hereby placed in effect:

SWIMMING

Zilker Springs, Deep Eddy, and Northwest Pool

Children under six	No Charge
Ages 6 to 12	\$.05
Hightschool and Junior High	.20
Adults	.30

Adult tickets, 40 swims for \$10.00. (25¢ each) good at all three pools.

The motion, seconded by Councilman Palmer, carried by the following vote:
Ayes: Councilmen Palmer, White, Mayor Miller
Noes: Councilman Long
Absent: Councilman Pearson

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, by instrument dated June 21, 1930, and recorded in Volume 455, page 181 of the Deed Records of Travis County, Texas, Q. C. Boatman and wife, L. M. Boatman granted an easement of right of way for an electric transmission and distribution line across a portion of the Isaac Decker League in Travis County, Texas; and,

WHEREAS, the above described easement was thereafter transferred to, and is now owned by, the City of Austin; and,

WHEREAS, it will be to the advantage of the City of Austin to relocate said easement on said property; and,

WHEREAS, D. L. Welch and Glen E. Lewis, present owners of the property across which said easement was originally granted have by instrument dated April 6, 1956, granted to the City of Austin an easement across said property for the relocation of the electric transmission and distribution line now in place on said property; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That W. T. Williams, Jr., City Manager be and he is hereby authorized and directed to execute a release of that portion of the above described electric transmission and distribution easement which is herein after described:

Being a part of the above mentioned easement, which is one of the easements granted to the Texas Power and Light Company's Austin Substation-Low Heights Addition 12.5 KV Distribution and extension to serve the Love Chicken Farm, and being more particularly described as follows; to wit:

TRACT I. Being all of that portion of said easement, the centerline of which lies along the established survey line of said 12.5 KV Distribution between station 313 plus 71 and 329 plus 15.

TRACT II. Being that portion of said easement, the centerline of which lies along the established line, BEGINNING at 0 plus 00 equals Survey Station 321 plus 50, (pole 7/2) on the centerline of Austin Substation Low Heights Addition Distribution Main Line; THENCE, North 22° 18' West 748 feet to Survey Station 7 plus 48.

The motion, seconded by Councilman Palmer, carried by the following vote:

Ayes: Councilmen Long, Palmer, White, Mayor Miller

Noes: None

Absent: Councilman Pearson

Councilman Palmer offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, Southern Union Gas Company has presented to the City Council tentative maps or plans showing the proposed construction of its gas mains in the streets in the City of Austin hereafter named, and said maps or plans have been considered by the City Council; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT Southern Union Gas Company be and the same is hereby permitted to lay and construct its gas mains in and upon the following streets:

(1) A gas main in BROADMOOR DRIVE, from a point 1042 feet west of Belfast Drive westerly 584 feet, the centerline of which gas main shall be 6.5 feet south of and parallel to the north property line of said BROADMOOR DRIVE.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(2) A gas main in EAST 8TH STREET, from Nile Street easterly 112 feet, the centerline of which gas main shall be 6 feet south of and parallel to the north property line of said EAST 8TH STREET.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(3) A gas main in WEST SKYVIEW ROAD, from Chesterfield Avenue westerly 53 feet, the centerline of which gas main shall be 7.5 feet south of and parallel to the north property line of said WEST SKYVIEW ROAD.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

THE Southern Union Gas Company is hereby put upon notice that the City of Austin does not guarantee that the space assigned above is clear from other underground utilities but is based upon the best records we have at hand, and that the minimum depth stated does not have any reference to the fact that greater depths may not be required at special points. When the Southern Union Gas Company requires definite information upon the ground as to elevations or working points from which to base the location of their assignments, they shall apply to the Department of Public Works not less than three (3) days before such information is required. The Southern Union Gas Company is further put upon notice that they will be required to bear the expense of repairs or replacement of any underground utility damaged during the construction of lines named in this resolution.

AND THAT whenever pavement is cut in the vicinity of a fire plug, water must be used at intervals during the course of backfilling of the ditches.

THAT the work and laying of said gas mains, including the excavation in the streets, and the restoration and maintenance of said streets after said mains have been laid, shall be under the supervision and direction of the City Manager and under all the pertinent terms and conditions of the certain franchises granted to said company by the City of Austin.

The motion, seconded by Councilman White, carried by the following vote:
Ayes: Councilmen Long, Palmer, White, Mayor Miller
Noes: None
Absent: Councilman Pearson

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the City Council of the City of Austin hereby approves as a filling station site the property located at the northeast corner of East 7th Street and Pedernales Street, which property fronts 86.8 feet on East 7th Street and 148.93 feet on Pedernales Street and being known as Lots 15 and 16, Block 5, Paul Simms Addition in the City of Austin, Travis County, Texas, and hereby authorizes the said Tom and John H. Reed to construct, maintain, and operate a drive-in gasoline filling station and to construct curbs, ramps, and sidewalks in conjunction therewith subject to the same being constructed in compliance with all ordinances relating thereto, and further subject to the foregoing attached recommendations and plans. The Building Inspector is hereby authorized to issue an occupancy permit for the operation of this filling station after full compliance with all the provisions of this resolution, and said permission shall be held to be granted and accepted to all necessary, reasonable and proper, present and future regulations and ordinances of the City of Austin, Texas, in the enforcement of the proper Police, Traffic and Fire regulations; and the right of revocation is retained, if after hearing it is found by the City Council that the said Tom and John H. Reed has failed and refused and will continue to fail and refuse to perform any such conditions, regulations, and ordinances.

(Recommendations attached)

"April 12, 1956

"Mr. W. T. Williams, Jr.
City Manager
Austin, Texas

"Dear Sir:

"We, the undersigned, have considered the application of Tom and John H. Reed for permission to construct, maintain and operate a drive-in gasoline filling station and to construct commercial driveways in conjunction therewith upon the property located at the northeast corner of East 7th Street and Pedernales Street, which property fronts 86.8 feet on East 7th Street and 148.93 feet on Pedernales Street and being known as Lots 15 and 16, Block 5, Paul Simms Addition in the City of Austin, Travis County, Texas and the property upon which this filling station is to be located is owned by Louis A. Joseph and is under lease to Tom and John H. Reed, and we hereby advise that the following conditions exist.

"The property upon which this filling station is to be located is designated as "D" Industrial Use District upon the zoning maps of the City of Austin.

"All drainage, natural or otherwise, from this filling station is to be disposed of in such a manner that such drainage will not flow across the sidewalk area into the street, and furthermore, shall not create a nuisance to others in the neighborhood. It is understood that the disposal of such drainage shall be entirely the responsibility of the property owner. Any waste connection to a storm sewer which empties into an open drainageway shall

be discontinued, if the waste becomes a nuisance or damages any property or rights of others in the vicinity of the open drainageway.

"We recommend that Tom and John H. Reed be granted permission to construct, maintain, and operate said drive-in gasoline filling station and to construct curbs, ramps, and sidewalks in conjunction therewith subject to the following conditions.

"(1) That all buildings and equipment shall be placed inside of the property line; correct lines to be obtained before construction starts or equipment is installed. Lines and grades to be obtained from the Department of Public Works for entrances and driveways; building lines to be approved by the City Building Inspector. That the applicant shall confer with the Department of Public Works as to future grades of the sidewalks and gutters on the adjacent streets before he starts any construction relative to the filling station.

"(2) That only underground tanks shall be used, and that all pumps shall be so located that it will be impracticable to service motor vehicles therefrom while said motor vehicles are standing on any part of a sidewalk, street, or alley.

"(3) That the gasoline tanks, pumps, and all equipment used in connection with the storage and handling of gasoline shall be an approved type and shall bear the label of Underwriters Laboratories, Inc., and that all construction for the filling station improvements shall be in accordance with the Building Ordinance, the Zoning Ordinance, the Filling Station Ordinance, and in accordance with the ordinance prohibiting the disposal of commercial water or oils upon the City Streets.

"(4) That the grades of the station shall be such that no waste water or oils or any floor washings shall ever pass over the City sidewalk area and that all of said oils and water shall be concentrated into a combined grease and sand trap which shall be constructed in accordance with our standard plan 2 - H - 146.

"(5) That all filling station improvements, pump islands, driveways, ramps, gutters, sidewalks, and curbs shall be constructed of concrete at the expense of the applicant as set forth upon the plan, hereto attached, which plan bears the Department of Public Works file number 2 - C - 2061.

"(6) Expansion joints shall be constructed as shown upon the plan, hereto attached, marked 2 - C - 2061 and shall be of the premoulded type.

"(7) When the owner considers that he has complied with all the requirements of the City of Austin for filling stations, he shall apply for a final inspection, and upon approval, the Building Inspector shall issue a Certification of Operation before such filling station can be put into service.

"Respectfully submitted,
(Sgd) S. Reuben Rountree, Jr.
Director of Public Works
(Sgd) J. C. Eckert
Building Inspector"

The motion, seconded by Councilman White, carried by the following vote:
Ayes: Councilmen Long, Palmer, White, Mayor Miller
Noes: None
Absent: Councilman Pearson

Mayor Miller brought up the following ordinance for its third reading:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 2.88 ACRES OF LAND OUT OF THE HENRY P. HILL LEAGUE, IN TRAVIS COUNTY, TEXAS, WHICH ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE.

The ordinance was read the third time and Councilman Long moved that the ordinance be finally passed. The motion, seconded by Councilman Palmer, carried by the following vote:

Ayes: Councilmen Long, Palmer, White, Mayor Miller
Noes: None
Absent: Councilman Pearson

The Mayor announced that the ordinance had been finally passed.

Mayor Miller introduced the following ordinance:

AN ORDINANCE PERPETUALLY VACATING AND CLOSING THAT CERTAIN PORTION OF WICHITA STREET, HERETOFORE SOMETIMES REFERRED TO AS CEDAR STREET, LYING SOUTH OF WEST 30TH STREET, AND EXTENDING 119.32' SOUTHERLY FROM THE SOUTH LINE OF WEST 30TH STREET.

The ordinance was read the first time and Councilman White moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Palmer, carried by the following vote:

Ayes: Councilmen Long, Palmer, White, Mayor Miller
Noes: None
Absent: Councilman Pearson

The ordinance was read the second time and Councilman White moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Palmer, carried by the following vote:

Ayes: Councilman Long, Palmer, White, Mayor Miller
Noes: None
Absent: Councilman Pearson

The ordinance was read the third time and Councilman White moved that the ordinance be finally passed. The motion, seconded by Councilman Palmer, carried by the following vote:

Ayes: Councilmen Long, Palmer, White, Mayor Miller
Noes: None
Absent: Councilman Pearson

The Mayor announced that the ordinance had been finally passed.

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, sealed bids were received by the Recreation Director of the City of Austin and opened on April 11, 1956, for the concession rights and privileges at the City Coliseum for a period of two years, commencing May 1, 1956, through April 30, 1958; and,

WHEREAS, the bid of Owen Davis for paying to the City of Austin twenty-two (22%) percent of all gross receipts for such privileges was the highest offer; and,

WHEREAS, such proposal has been considered, and it is deemed to be the best proposal for such rights and privileges; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That such proposal be and the same is hereby approved, and that W. T. Williams, Jr., City Manager, be and he is hereby authorized and directed, on behalf of the City of Austin, to enter into a contract with Owen Davis, for such concession rights and privileges.

The motion, seconded by Councilman Palmer, carried by the following vote:
Ayes: Councilmen Long, Palmer, White, Mayor Miller
Noes: None
Absent: Councilman Pearson

The Council recessed until 2:00 P.M.

Recessed Meeting

2:00 P.M.

At 2:00 P.M. the Council resumed its meeting.

Roll call:

Present: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Absent: None

The City Manager went over each paragraph of the contract with the L.C.R.A. (See Contract File No. 1108-C)

Councilman Palmer moved that the Council approve this contract between the L.C.R.A. and the City of Austin, as contents noted and discussed. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

MR. DAVID BARROW came before the Council and discussed off-street parking. The formal report from the City Plan Commission will be submitted possibly by next week.

The Mayor read the following letter from the ASSOCIATED GENERAL CONTRACTORS AUSTIN CHAPTER:

"April 12, 1956

"Honorable Tom Miller, Mayor
and Members of the City Council
City of Austin
Austin, Texas.

"Gentlemen:

"Pursuant to our letter of April 4th, we want to give you in outline form our principal reasons for recommending that all public work be let under a single contract procedure. We realize you are all businessmen serving the City with free time and rather than take up a great deal of your time in a long discussion or debate of the matter, we believe you can readily see the benefits of the single building contract method.

"1. The owner has a single financially responsible firm to deal with. This means one bond, one builders' risk insurance policy and one contractor to deal with for the entire project. Under the separated contract method, the Architect is placed in the position of acting as the General Contractor because the Owner must look to him solely for coordination of the entire job, completion of the job, adjudication of conflicts between various insurance companies as regards bonds, builders' risk insurance and property damage insurance.

"2. The single contract method provides open competition for all, with no bid depositories or other restrictive bidding procedures.

"3. The single contract method provides unified supervision with integrated control of all of the various trades involved in each project. The General Contractor is solely responsible for the maintenance of the job schedule. Under the separated contract method the general practice has been to attempt to hold the General Contractor responsible for this schedule yet to remove from his control some of the principal items of work which must be coordinated to maintain a progress schedule. It is futile to assign control of an entire job to a General Contractor without making his contract in the true sense of the word a general contract.

"4. The single contract method provides the most economy for the Owner, the most protection against damage and loss, and the most complete guarantee of satisfactory completion.

"We ask that you please consider these factors in all of the bidding

procedures on city work. We particularly request that bids for the City Auditorium be requested under one single proposal. This is the desire of the entire membership of the Austin Chapter of the Associated General Contractors and they have requested this Special Committee to furnish any additional information you might desire in this connection.

"Yours very truly,
ASSOCIATED GENERAL CONTRACTORS
AUSTIN CHAPTER
(Sgd) Chas. M. Morton
Chairman, Special Committee
on Integrated Contracts."

There being no further business the Council adjourned at 4:45 P.M.
subject to the call of the Mayor.

APPROVED

Tom Miller
Mayor

ATTEST:

Elmer Mosley
City Clerk